

**INDEX OF PETITION FOR EVICTION OF HIGHRISES, CONSTRUCTIONS,  
RESTORATION OF NOTIFIED LAKE ID 4001 SURRAM CHERUVU,  
BANDLAGUDA, HYDERABAD DISTRICT, TELANGANA**

<b>SL NO.</b>	<b>DOCUMENT DESCRIPTION</b>	<b>year</b>	<b>PAGE NOS.</b>
1	PETITION		1-15
2	<u>SURVEY OF INDIA</u> <u>TOPOSHEET NO.</u> <u>56K7SE</u>	1975	
3	HUDA NOTIFICATION	4.5.2000	
4	Appeal Suit No. 968 of 2010 on	1.11.2013	
5	PRELIMINARY NOTIFICATION OF 4001 SURRAM CHERUVU FTL.PDF 4001 SURRAM CHERUVU CADASTRAL.PDF	13.12.2016	
6	LTR TO LAKE PROTECTION COMMITTEE	20.1.2016	
7	MEETING WITH DC, HYDERABAD	30.12.2016	
8	DC HYDERABAD LTR TO MRO BANDLAGUDA	3.1.2017	
9	DC HYDERABAD LTR TO HMDA	3.1.2017	
10	ONLINE PRAJAVANI COMPLAINT	17.2.2018	
11	LTR TO DC HYDERABAD	20.2.2018	
12	LTR TO GHMC FOR COPY OF BUILDING PERMISSION	15.7.2020, 16.7.2020	

Hyderabad 10 october 2020

From

Dr Lubna Sarwath  
Voter ID(old): WRH0435222  
Voter ID(current):WRH2244622  
State General Secretary, Socialist Party(India)  
Hyderabad  
9963002403  
[sarwath.lubna@gmail.com](mailto:sarwath.lubna@gmail.com)

&  
Dr Jasveen Jairath  
founder-convenor, Save Our Urban Lakes  
Hyderabad

To

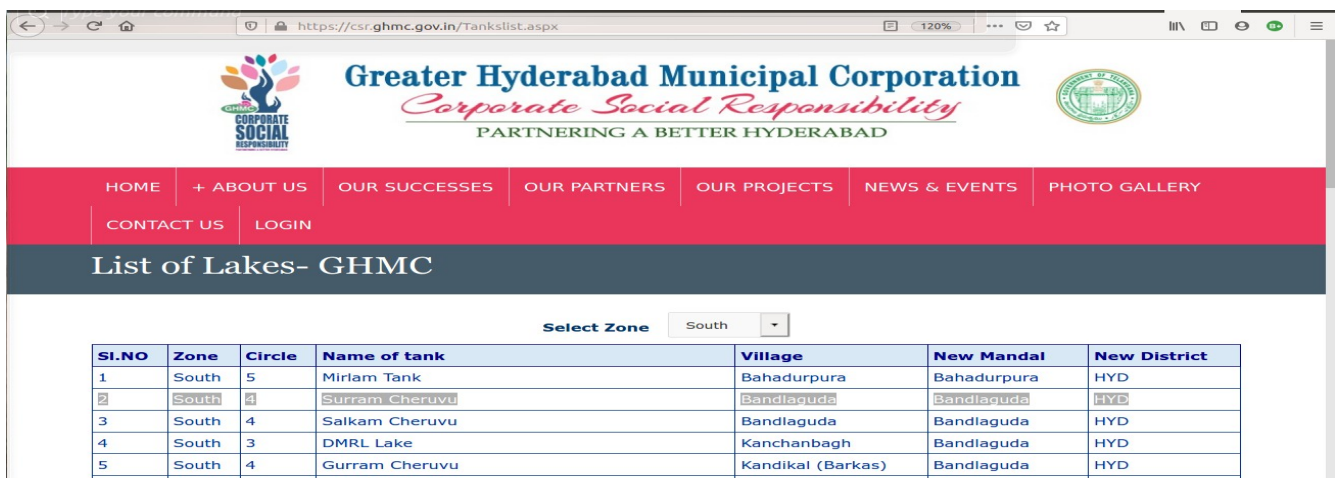
**The Chief Justice of High Court at Hyderabad  
southern banks of Moosi nadi  
adjacent to heritage city college  
Hyderabad**

Dear Chief Justice garu,  
May Peace Be Upon You, and Mercy of God and Blessings of God too.

Sub: 4001- Surram Cheruvu, Bandlaguda, - High rise constructions and  
Enroachments in FTL boundary inside GHMC fencing.

Ref: 1- our representations to District Collector, Hyderabad of 2017  
2- our representations to GHMC of 15 july 2020;  
3- 4001\_FTL.pdf; 4001Surram Cheruvu\_CADASTRAL.pdf; HMDA  
consultant survey of 18.12.2013; Maps dated 25.02.2014;

1- Submission No. 1: Surram cheruvu, bandlaguda mandal, hyderabad district  
is a notified lake with HMDA lake id 4001. It is also notified in GHMC list at sl  
no. 2 in south zone of GHMC.



Sl.NO	Zone	Circle	Name of tank	Village	New Mandal	New District
1	South	5	Miriam Tank	Bahadurpura	Bahadurpura	HYD
2	South	4	Surram Cheruvu	Bandlaguda	Bandlaguda	HYD
3	South	4	Saikam Cheruvu	Bandlaguda	Bandlaguda	HYD
4	South	3	DMRL Lake	Kanchanbagh	Bandlaguda	HYD
5	South	4	Gurram Cheruvu	Kandikal (Barkas)	Bandlaguda	HYD

Picture 1: Surram cheruvu at sl no. 2 @ <https://csr.ghmc.gov.in/Tankslist.aspx>

**2- Submission No. 2: PRELIMINARY NOTIFICATION IN 2016, DC FINALIZES IN 2016, BUT LAKE PROTECTION COMMITTEE DOES NOT FINALIZE TILL DATE**

It is observed that as per HMDA website information preliminary notification of FTL demarcation for lake ID no. 4001 Surram cheruvu, Bandlaguda village, Bandlaguda Mandal, Hyderabad, was done on 13.12.2016. But the final notification has not been uploaded till date.

Sno	District	Mandal	Village	Name of the lake	LakeID	Date of Preliminary Notification	Date of Final Notification	FTL	CADASTRAL	Synos & Area Effecting in FTL & BufferZone
1	Hyderabad	Bandlaguda	Bandlaguda(kalsa)	Suram Cheruvu	4001	13-12-2016		<a href="#">Click</a>	<a href="#">Click</a>	

Picture 2: Preliminary notification of surram cheruvu bandlaguda at [https://hmda.gov.in/Permissions/rpt\\_lakes.aspx](https://hmda.gov.in/Permissions/rpt_lakes.aspx)

Further to our representation to District collector, Hyderabad, DC has stated in his letter no. E7/1831/2010-1 dated 3.1.2017 addressed to the HMDA, that Final notification maps in due formats has already been submitted to HMDA for due action at their end vide letter no. E7/1831/2010 dated 18.08.2016.

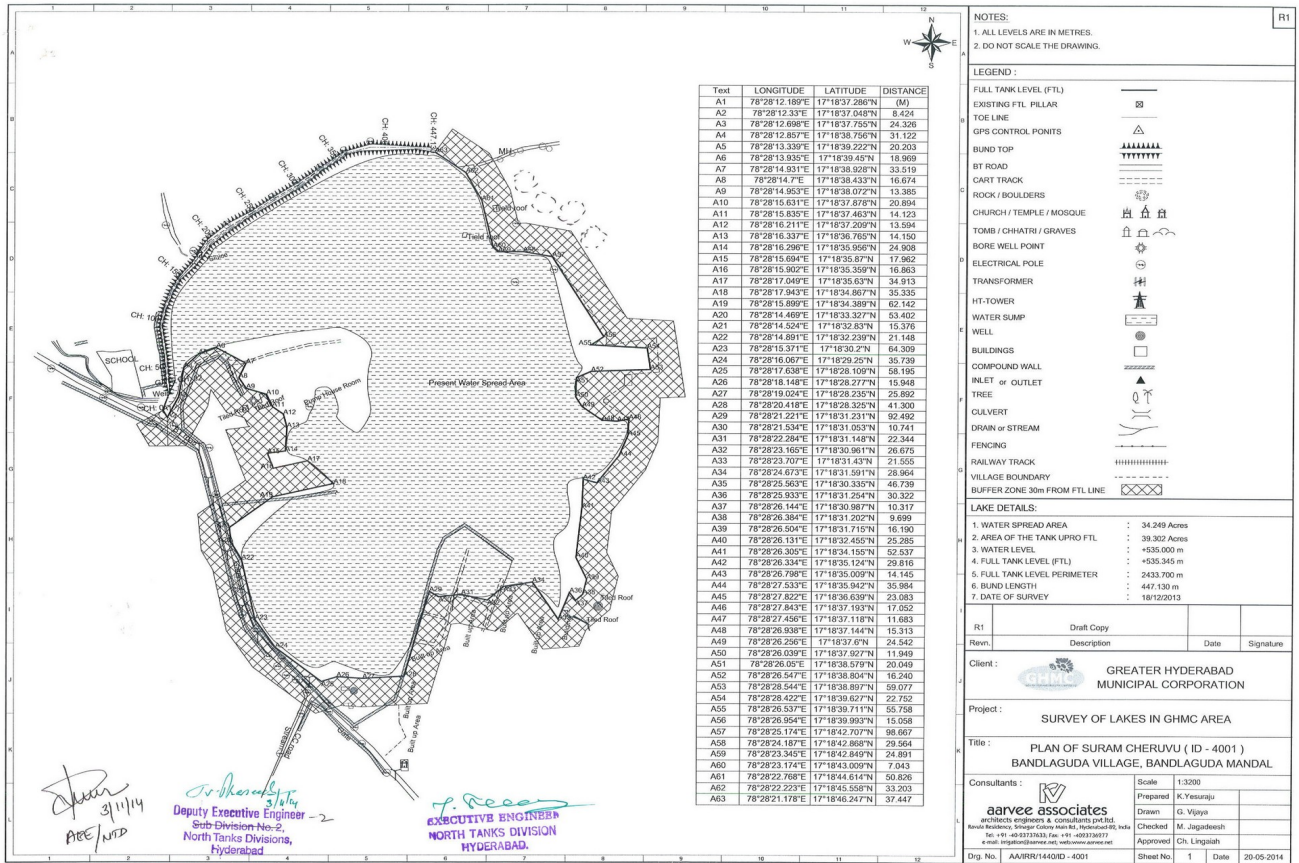
The Lake Protection Committee of which HMDA Commissioner is the Chairman has failed to do the needful of finalization of notification, four years after having received the final notification maps from the concerned authority.

HMDA has stated vide ltr no. 359/LPC/HMDA/2016 dated 22.8.2016 that the verification is due at their end for final notification. But not uploaded so far.

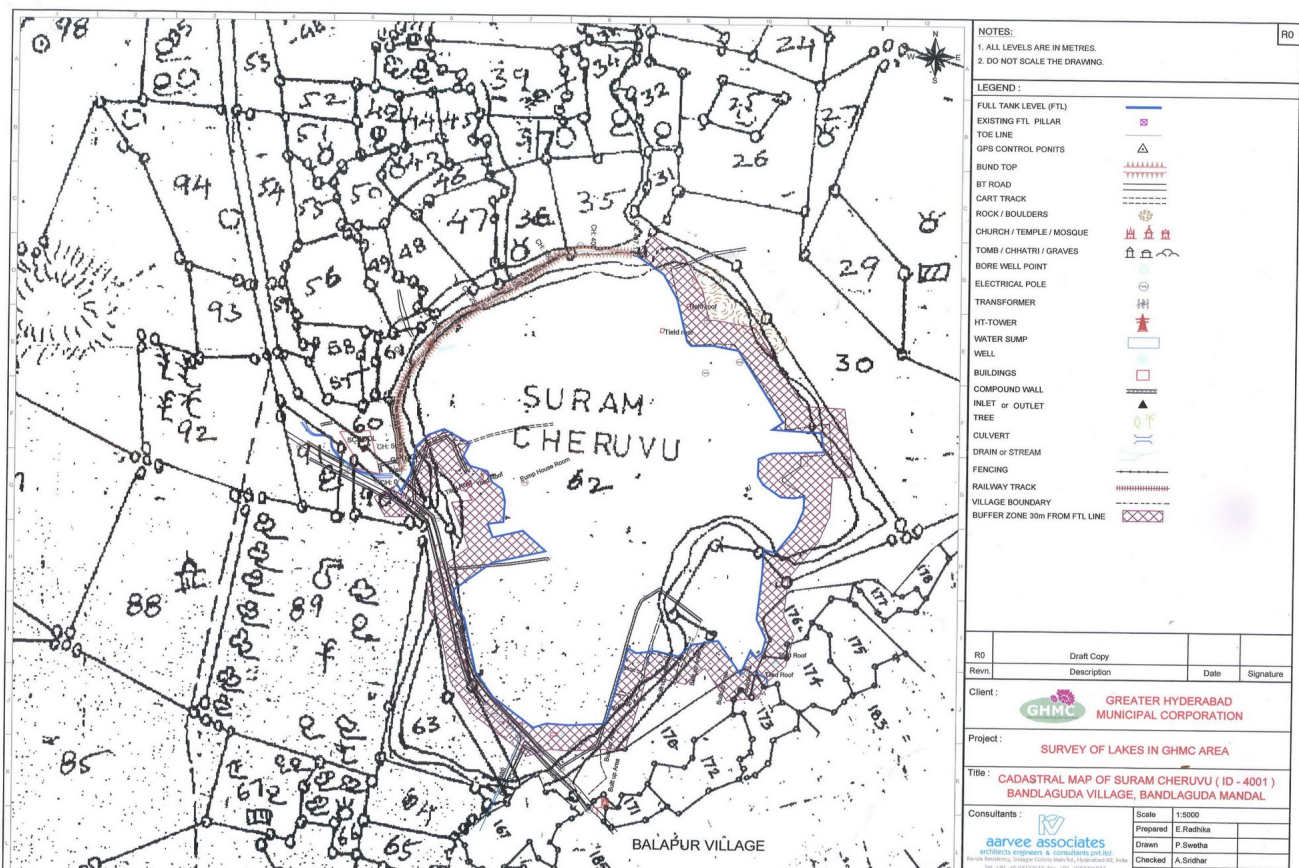
**3- Submission No. 3: 47 ACRES LAKE AREA AS PER HUDA NOTIFICATION 2000 ; BUT, 39 ACRES PER HMDA FTL MAP;**

It is observed from the HUDA notification 'SAVE LAKES FOR A BETTER FUTURE' no. 3195/PR/11/2000 dated 4.5.2000 that Suram Cheruvu Bandlaguda is mentioned at Sl. No. 68 is admeasured as hectares 19.80 i.e., 46.95 acres;

Whereas the HMDA preliminary notified map states Suram cheruvu area at FTL is acres 39.302 .



Picture 3: 4001Suram Cheruvu\_FTL as per HMDA website – Area of lake at FTL is acres39.302



Picture 4: 4001Suram Cheruvu\_CADAstral  
A cursory study of the cadasral map indicates the compromised demarcation of FTL boundary. FTL and Buffer zone boundary are demarcated inside the lake area of the village map.



HUDA Notification also includes the following:

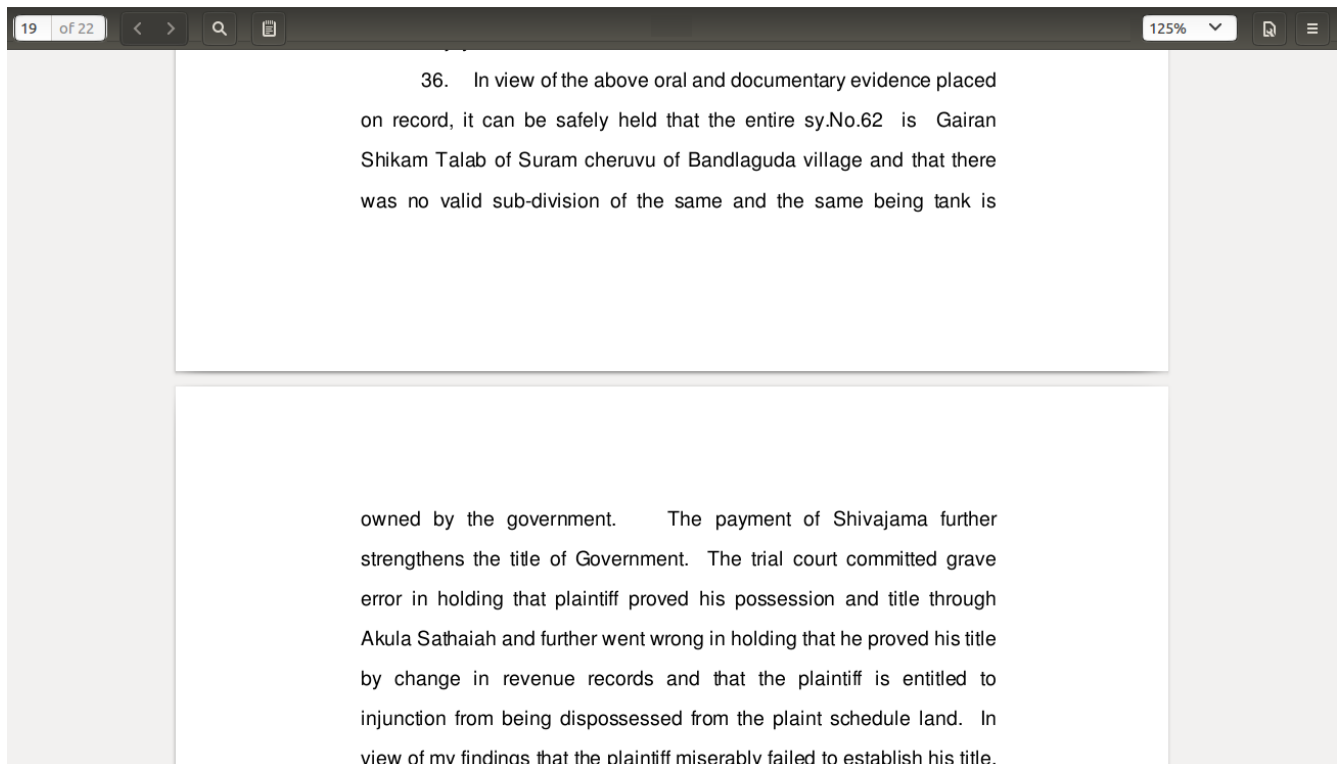
*'All local bodies : Municipalities and Gram Panchayats, in whose jurisdiction these lakes fall are hereby directed to take steps to exercise utmost vigilance to prevent any type of encroachments, reclamation, petition or damage of any type to the lakes listed in this notification. They are also directed not to grant any permission for buildings or structures of any type within the lull tank level and within the 30 metre buffer belt around the lakes under any circumstances.'*

But the Online survey and Field survey of the Surram cheruvu bandlaguda indicates that the above guidelines just like many other rules, court orders have not been complied with, by the authorities concerned.

Submission 3.1: 'ENTIRE SY NO. 62 GAIRAN SHIKAM TALAB OF SURAM CHERUVU' - APPEAL SUIT No.968 OF 2010 DATE.1.11.2013

It is further observed that in Order delivered in Appeal Suit No. 968 of 2010 on 1.11.2013 it is stated that 'entire sy.No.62 is Gairan Shikam Talab of Suram cheruvu of Bandlaguda village and that there was no valid sub-division of the same and the same being tank is owned by the government. The payment of Shivajama further strengthens the title of Government.'

Please see extract from Court Order below:



Picture 3.1: Extract from High Court Order dt 1.11.2013 in Appeal Suit 968/2010

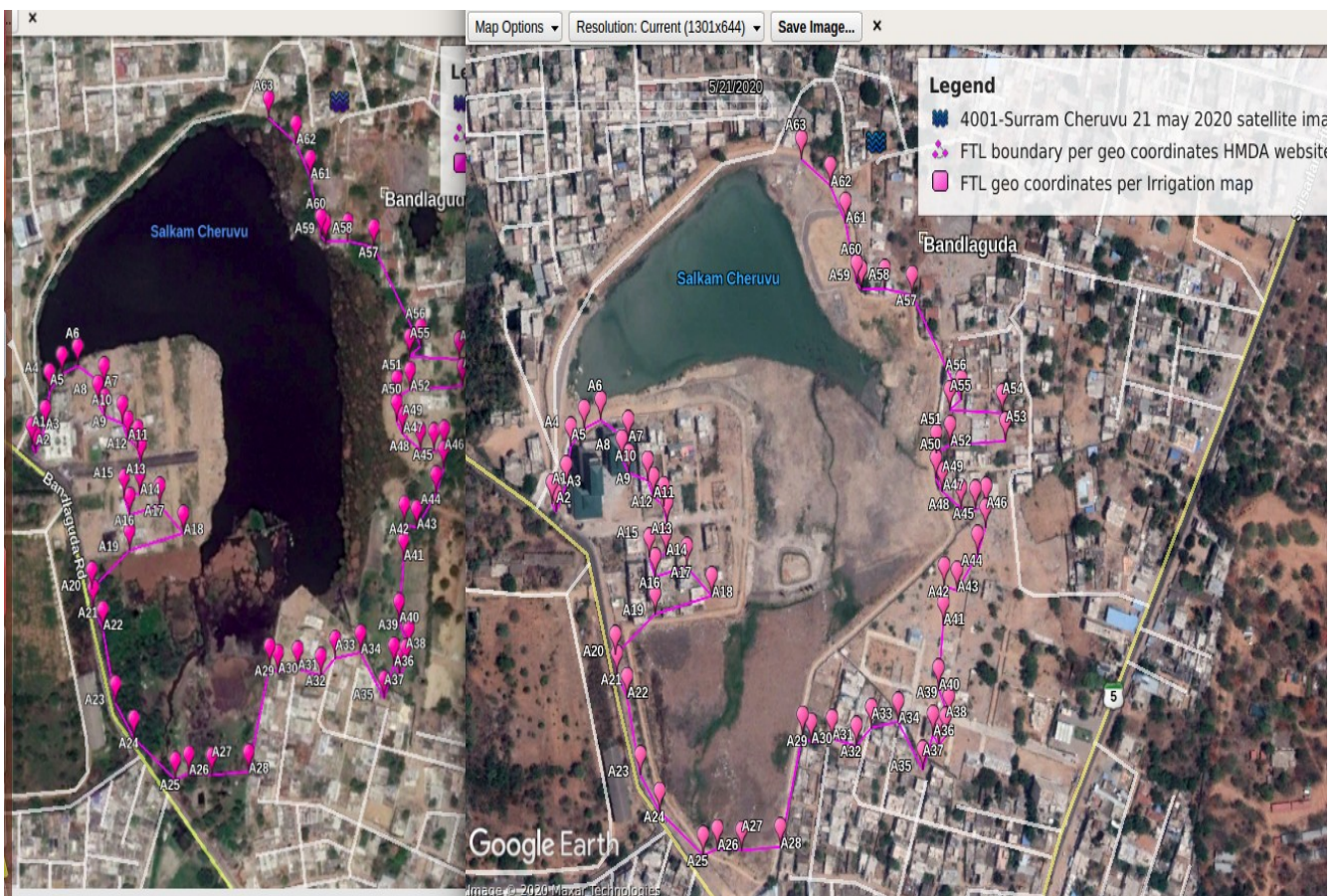
Thus, it can be safely concluded that contrary to government's earlier stand in the Court of law, that entire survey no. 62 is suram cheruvu, the present situation on ground is seriously compromised and FTL boundary area demarcation on maps is reductionist and map is not finalized.

#### 4- Submission No. 4: ONLINE SURVEY OF SURRAM CHERUVU, BANDLAGUDA:

##### Submission 4.1 : GOOGLE EARTH SATELLITE IMAGERY REVEALS MAJOR CONSTRUCTIONS INSIDE FTL BOUNDARY MAP NOTIFIED BY HMDA

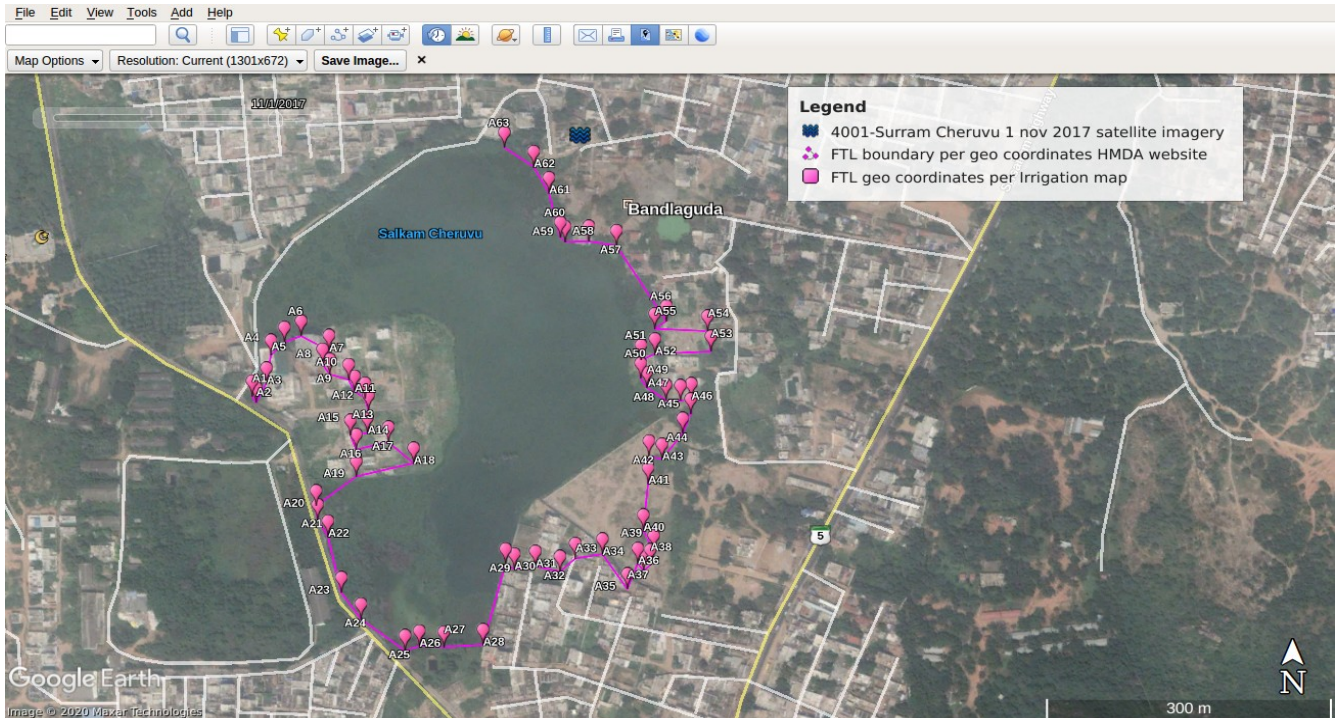
Official FTL map contentious though, we generated the kml file from the geo coordinates downloaded from HMDA preliminary notified FTL map. By using the kml file that demarcates the FTL boundary, we generated a layer on the google earth satellite imagery.

Through historic imagery the annihilation of the Surram cheruvu, Bandlaguda, is evident. Below comparative picture of the 2016 and 2020 extracted from google earth satellite imagery:



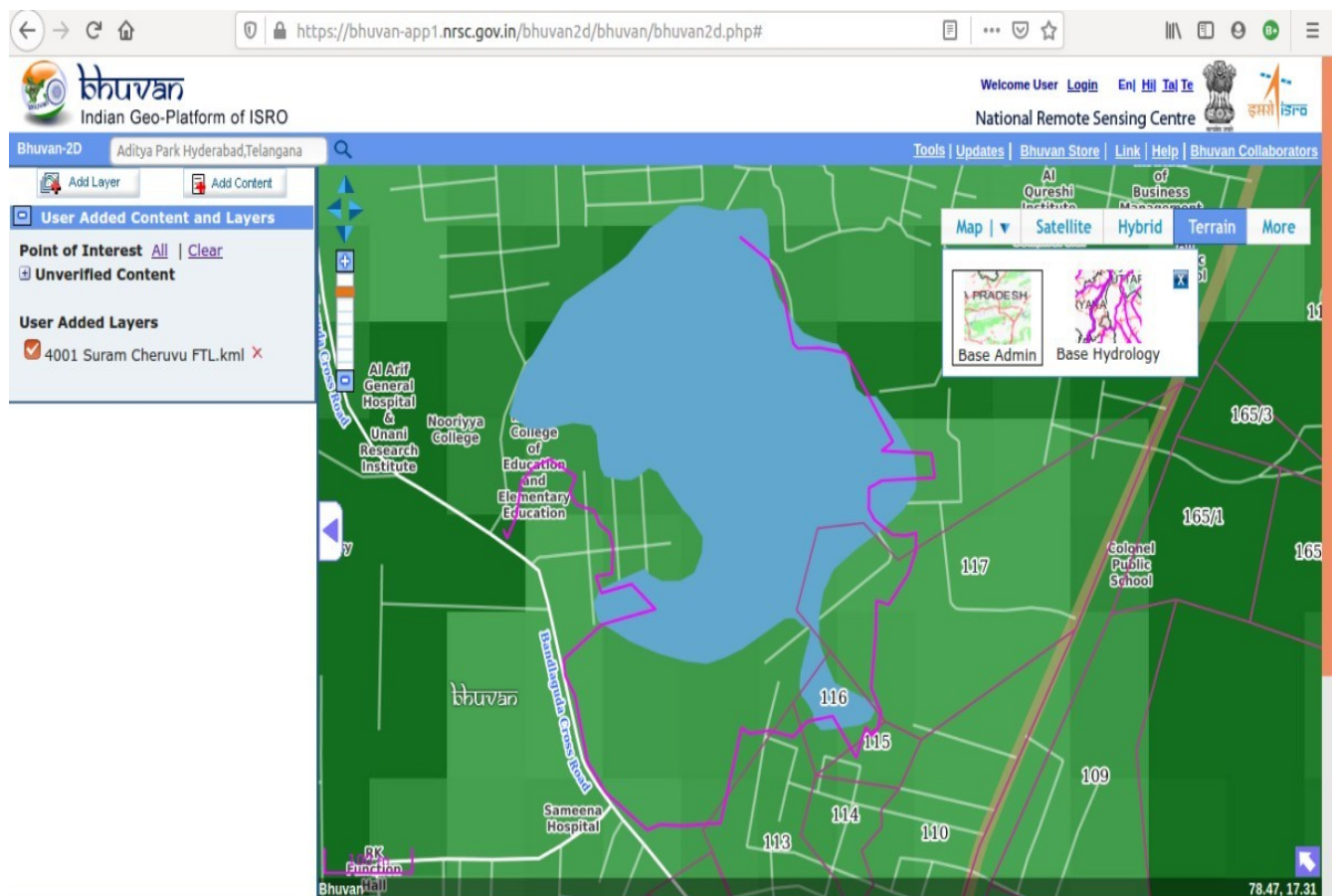
Picture 5: Satellite imagery from Google earth dated 21 may 2020(right side of image) is compared with hitoric satelllme imngery dated 27 may 2016 (left side of the image)and the huge constructions and encroachment is self explanatory. Pink line indicates official FTL boundary per HMDA geo coordinates.





Picture 6: Below is historical satellite imagery of the surram cheruvu dated 1 november 2017 when city received heavy rains.

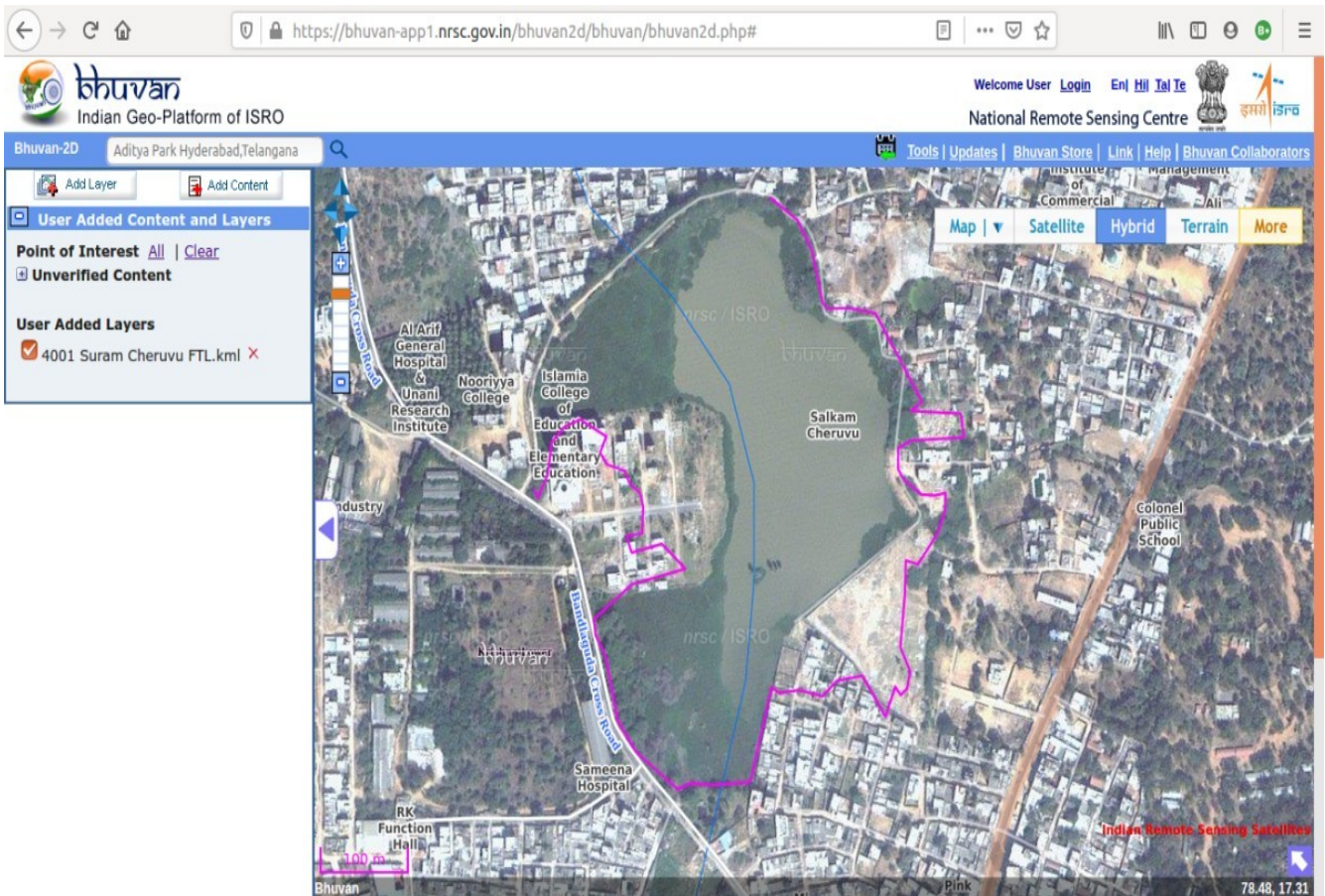
**Submission 4.2 : NRSC-BHUVAN 2D TERRAIN MAP OF SURRAM CHERUVU, BANDLAGUDA OVERLAYED WITH HMDA DEMARCATED FTL BOUNDARY:**



Picture 7: Surram cheruvu bandlaguda identified on NRSC Bhuvan2D at [https://bhuvan.nrsc.gov.in/bhuvan\\_links.php](https://bhuvan.nrsc.gov.in/bhuvan_links.php)

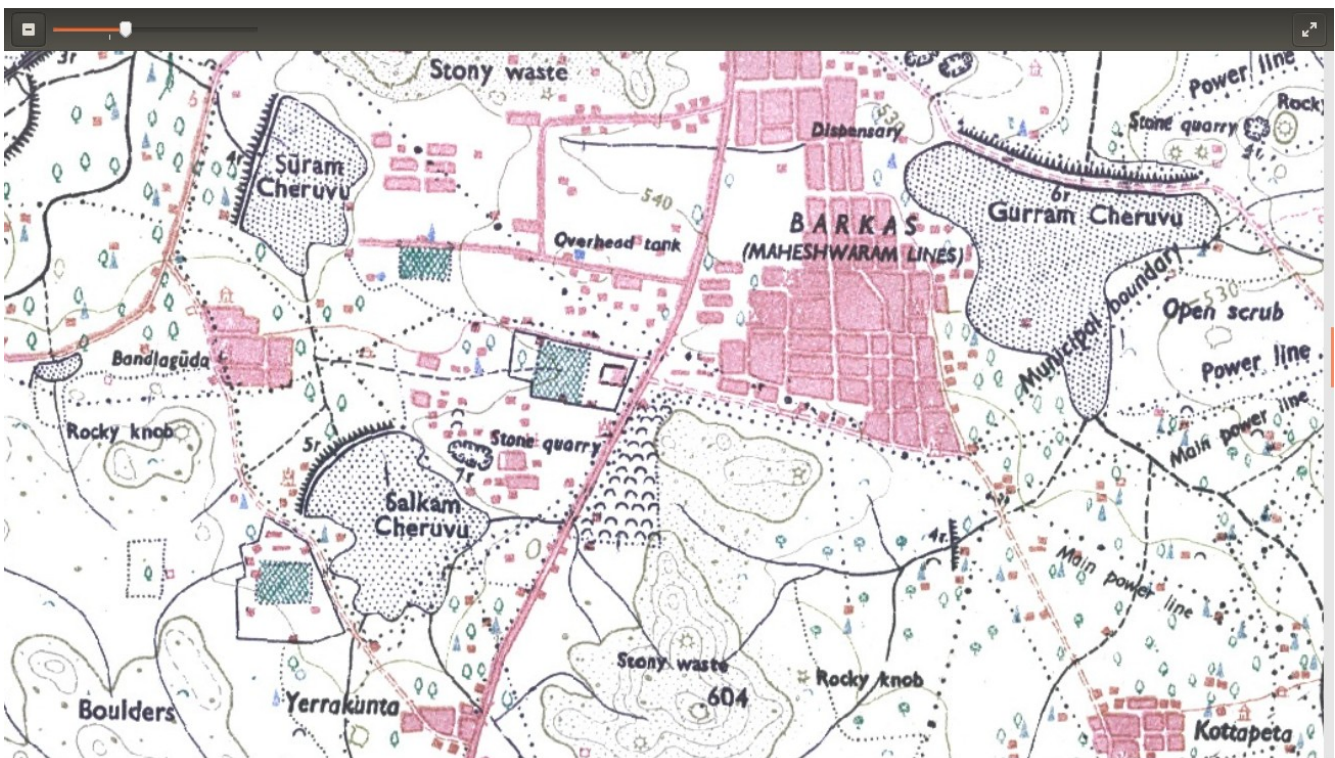


**Submission 4.3 : NRSC-BHUVAN 2D HYDROLOGICAL SATELLITE HYBRID EXTRACT OF SURRAM CHERUVU, BANDLAGUDA OVERLAYED WITH HMDA DEMARCATED FTL BOUNDARY:**



Picture 8: Satellite imagery from NRSC Bhuvan2D @ [https://bhuvan.nrsc.gov.in/bhuvan\\_links.php](https://bhuvan.nrsc.gov.in/bhuvan_links.php)

**Submission 4.4 : EXTRACT FROM SURVEY OF INDIA TOPOSHEET NO. 56K7SE OF YEAR 1975 DEMARCATING SURAM CHERUVU, ITS HYDROLOGY AND ITS CHAIN LINKED LAKES:**



Picture 8.1: Salkam cheruvu in SOI toposheet above renamed and notified as 4001 Suram cheruvu by HMDA with its hydrology



Submission 5: LETTER TO GHMC REGARDING BUILDING PERMISSIONS NOT RESPONDED TILL DATE:

On 15 July 2020 and 16 July 2020 petitioner had represented to the GHMC Planning officials and had telephonic conversations regarding building permissions given by GHMC for constructions at Bandlaguda that fall inside the FTL of Surram cheruvu.

But the representations have not been replied till date.  
[representation attached]

Submission 6: NOC FROM AIRPORT AUTHORITY & GHMC:

Citizen search enabled on No Objection Certificate from AAI and Building permission from GHMC has not yielded any result.

<https://nocas2.aai.aero/nocas/>

Submission 7: WALTA AUTHORITY MEETING NOT CONVENEED TILL DATE:

In spite of petitioner follow up since 2017 Hyderabad District WALTA authority has not been convened so far.

After ratification Telangana government issued GoMs 9 and 10 dated 29 Jan 2016 but not a single meeting is convened till date.

Submission 8: FIELD SURVEY OF 6 OCT 2020:

Further, field survey reveals major high rises and constructions inside the FTL boundary of the surram cheruvu.



Picture9: highrise in surram cheruvu shot at@ 17° 18' 39.70" N, 78° 28' 15.43" E





Picture 10: highrises and constructions inside lake



Picture 11: gravel deposits and concretization works inside layout in FTL of lake shot @ 17° 18' 35.58" N, 78° 28' 19.09" E





Picture 12: constructions inside lake; shot @ 17° 18' 39.87" N, 78° 28' 16.41" E



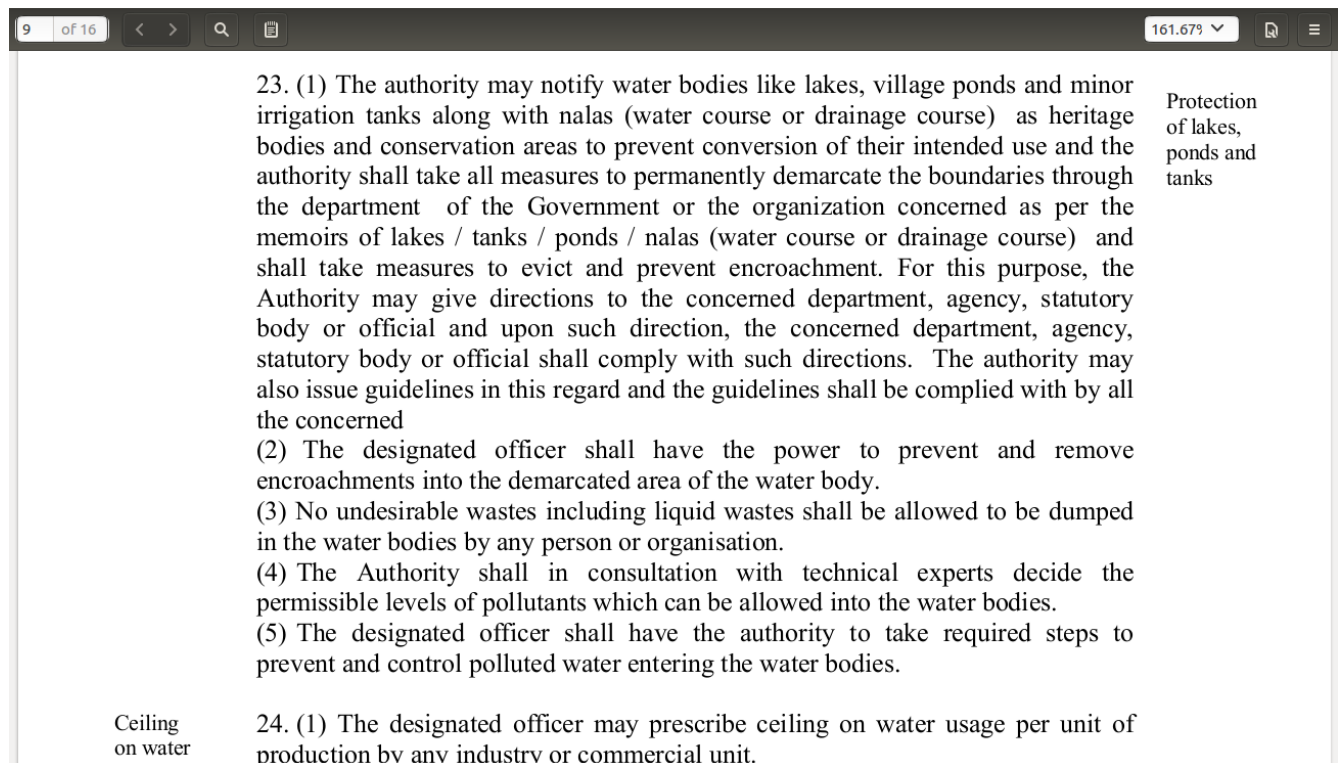
## Submission 9: CONTEMPT OF CONSTITUTIONAL OATH:

Contrary to all rules, and stated objective and mandate of Lake Protection Committee and contrary to the Hyderabad District WALTA authority, Bandlaguda Mandal WALTA authority and State WALTA authority constituted under WALTA Act 2002 and WALTA Rules 2004, the lake has been trespassed with constructions , landfills and pollution.

### 1- Violation of WALTA Act 2002, Rules 2004:

Powers have been given to Authorities under An Act to Promote Water Conservation, and Tree Cover and Regulate the Exploitation and Use of Ground and Surface Water for Protection and Conservation of Water Sources, Land and Environment and Matters, Connected Therewith or Incidental Thereto Act No. 10 of 2002 Water, Land and Trees Act, 2002 and Rules 2004.

Section 23 of the Act is reproduced below thru screen grab.



Picture 13: Extract of sec 23 of WALTA Act 2002

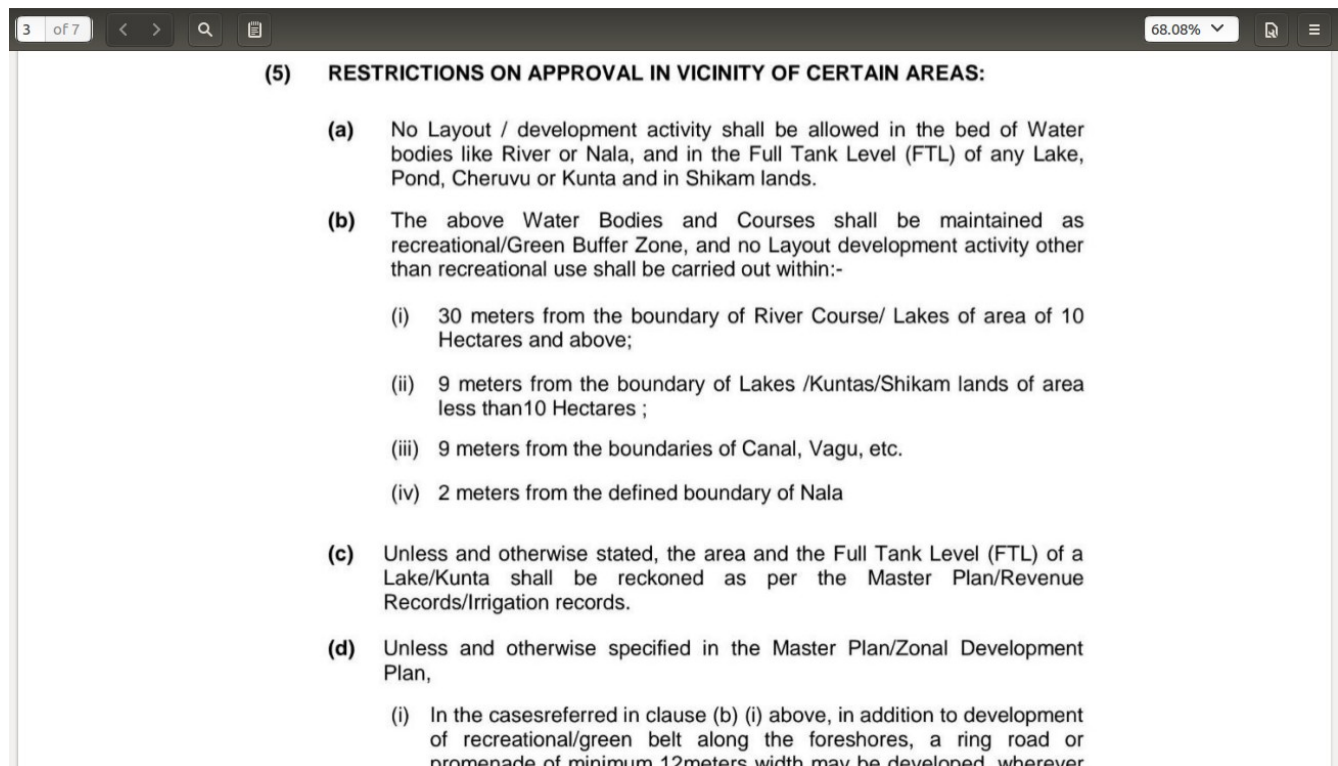
Implementation of the above section 23 (1) of WALTA Act 2002 entails the Authority 'power to prevent and remove encroachments into the demarcated area of the water body.'

### 2- Violation of GO GO 168 of 7.4.2012, GO 33 of 24.1. 2013 and latest Land Regularisation GO 131 of 31.08.2020:

Further GO 168 of 7.4.2012, GO 33 of 24.1. 2013 and latest Land Regularisation GO 131 of 31.08.2020 confirm the dereliction of duty of all concerned officials.

There is strict prohibition of construction of any sort in FTL boundaries, as well as any activities in buffer zone of channels and water bodies except few permitted recreational:

An extract below for ready reference:



### 3- Contempt of Supreme Court Order:

Whereas the Supreme Court has called lakes falling into disuse as an ecological disaster and has pulled the officials for not paying attention, we find that in Hyderabad active lakes are being dumped to manufacture land, in utter contempt of supreme court order.

As per the Supreme Court orders from time to time on Art 21 of right life with dignity and of change of land use of water zone that can never be done. In Hinch Lal Tiwari vs Kamala Devi And Ors on 25 July, 2001 Bench: Syed Shah Quadri, S.N. Phukan in Appeal(civil) 4787 of 2001, supreme court said as follows:

'The Government, including the Revenue Authorities(i.e. Respondents 11 to 13,) having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of the public at large. Such vigil is the best protection against knavish attempts to seek allotment in non-abadi sites.'

'Further it will also help in maintaining ecological balance and protecting the environment in regard to which this Court has repeatedly expressed its concern. Such measures must begin at the grass- root level if they were to become the nation's pride.'

Thus Telangana State WALTA Authority, Hyderabad District WALTA Authority, Bandlaguda Mandal Authority and Lake Protection Committee (that consists of 18 departments) have all failed to vigil, protect and evict encroachments in the surram cheruvu bandlaguda.



PRAYER:

Please render justice.

We appeal for removal of highrises, buildings, constructions in the FTL & buffer zone boundary, prominent of which are identified and placed in our petition above.

We appeal for restoration of the lake and its hydrology.

We appeal for participative and transparent governance of the surram cheruvu bandlaguda to be established.

We shall produce any document that we may have.

We shall coordinate with High Court in public interest.

Best

Petitioner

HYDERABAD DISTRICT

HIGH COURT AT HYDERABAD FOR  
THE STATE OF TELANGANA

WP(PIL) NO. OF 2020

PETITION FILED BY  
LETTER/DR LUBNA SARWATH

FILED ON 10 october 2020

FILED BY LETTER/DR LUBNA SARWATH

R/O HOUSE NO. 12-2-389/A/72/A,  
MAHAVEER NAGAR,  
P.O. KULSUMPURA, KARWAN SAHU,  
HYDERABAD 500006

MOBILE: 9963002403  
LETTER/PETITIONER